

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDALL L. DOUGHERTY, SR., *et al.*,
Plaintiffs,
v.
TARGET CORPORATION, *et al.*,
Defendants.

Case No. 1:24-cv-00818-KES-EPG

ORDER TRANSFERRING CASE TO THE
SACRAMENTO DIVISION OF THE
EASTERN DISTRICT OF CALIFORNIA

On June 28, 2024, Defendants Target Corporation, Empower Brands, LLC, and Tristar Products, Inc. removed this civil action to the United States District Court for the Central District of California. (ECF No. 1).¹ The case was then transferred on July 16, 2024, to the United States District Court for the Eastern District of California. (ECF Nos. 17, 18). As it appears that this action should have been filed in the Sacramento Division of the United States District Court for the Eastern District of California, the Court will transfer the case to the Sacramento Division.

Pursuant to Local Rule 120(d), “[a]ll civil and criminal actions and proceedings of every nature and kind cognizable in the United States District Court for the Eastern District of California arising in . . . Calaveras . . . count[y] shall be commenced in the United States District Court sitting [in] Sacramento, California. . . .”

On October 24, 2024, the parties filed a joint scheduling report in preparation for the mandatory initial scheduling conference. (ECF No. 32). The report indicates, “[t]his action arises

¹ Defendants Spectrum Brands Holdings, Inc. and Spectrum Brands, Inc., who also brought the removal, were dismissed from this case on July 9, 2024. (ECF No. 13).

1 from a fire that occurred on December 18, 2022 in a parked fifth wheel recreational vehicle . . . in
2 Calaveras County, California that resulted in the death of Randall B. Dougherty, Jr.” (*Id.* at 2).
3 The Court raised this issue with counsel for the parties at the scheduling conference on October
4 31, 2024, explaining that under Local Rule 120(d), it appears that this case should have been filed
5 in the Sacramento Division. Plaintiffs’ counsel agreed that the case was intended to be filed in
6 Sacramento.

7 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
8 court may, on the Court’s own motion, be transferred to another venue within the District.
9 Moreover, the parties voiced no objection to transferring the action at the October 31, 2024,
10 conference. Therefore, this action will be transferred to the Sacramento Division.

11 Good cause appearing, IT IS ORDERED that:

12 1. This action is transferred to the United States District Court for the Eastern District of
13 California sitting in Sacramento; and

14 2. All future filings shall refer to the new Sacramento case number assigned and shall be
15 filed at:

16 United States District Court
17 Eastern District of California
18 501 “I” Street, Suite 4-200
19 Sacramento, CA 95814

20 IT IS SO ORDERED.

21 Dated: October 31, 2024

22 /s/ Eric P. Shoup
23 UNITED STATES MAGISTRATE JUDGE
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